

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

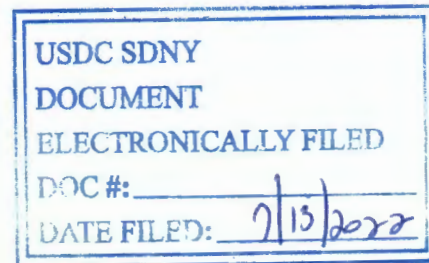
**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

-against-

AIRBORNE WIRELESS NETWORK, et al.,

Defendants.



21 Civ. 01772 (CM) (GWG)

7/13/2022
Frankel
[Signature]

**JOINT MOTION TO STAY DISCOVERY BETWEEN PLAINTIFF SECURITIES AND
EXCHANGE COMMISSION AND DEFENDANT ERIC SCHEFFEY**

Plaintiff Securities and Exchange Commission ("SEC" or "Commission") and Defendant Eric Scheffey (collectively, the "Settling Parties") respectfully submit this joint motion requesting that the Court stay discovery between the Settling Parties. In support of this motion, the Settling Parties state as follows:

MEMO ENDORSED

1. Pursuant to the Court's Case Management Plan, discovery was set to conclude in this matter on July 15, 2022. (ECF No. 67). On June 23, 2022, the Court granted the parties' motion to extend that deadline to August 2, 2022. (ECF No. 166).
2. As a result of good faith negotiations, the SEC staff and Defendant Scheffey have agreed on settlement terms that the staff will recommend to the Commission. The process for Commission review of settlements can take several weeks, and will not begin until Scheffey provides a signed and notarized consent. Scheffey is currently outside the country, but expects to return in July.
3. To conserve party resources, the Settling Parties respectfully ask the Court to stay discovery between the SEC and Scheffey pending final approval of the settlement. This

request applies only to discovery between the SEC and Scheffey. Discovery between the other parties shall proceed and conclude by the deadline ordered by the Court.

4. If, for whatever reason, the Settling Parties do not finalize their agreement, the Settling Parties further request that the Court permit the SEC and Scheffey 60 additional days from the time that it becomes clear that the settlement will not be finalized to conduct additional discovery, even if discovery in this matter has otherwise concluded. The Settling Parties will promptly notify the Court if the settlement will not be finalized.

Dated: June 24, 2022

Respectfully submitted,

/s/ Nicholas C. Margida

Nicholas C. Margida (admitted *pro hac vice*)

Dan Maher (admitted *pro hac vice*)

Drew Dorman (admitted *pro hac vice*)

SECURITIES AND EXCHANGE COMMISSION

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